

TUESDAY, MAY 8, 1984

SEVENTY-FIRST LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Bill Atchley of Sevier County.

Representative Atchley led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 90

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

The Speaker announced that Representative Hassell was excused because of illness in the family.

The Speaker announced that Representative Stafford was excused because of illness.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Tuesday, May 8, 1984: House Bills Nos. 178, 1841, 1727, 1855, 2149, 2118, 2119, 1749, 2212, 2181, 2076, 2187, 1673, 1814, 1965, 1967, 2025, 1959, 1958, 1515, 2199, 2121, 2037, 2110, 1570, 2117, 2116, 2005, 1642 and 2147.

GILL, Chairman.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 2114 and 2213; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

377--To make certain provisions, retirement eligibility;

1894--To make certain provisions, county election commissions; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.:

263--Relative to study, establishing rape crisis centers;

272--Relative to renaming Walnut Street replacement bridge, Chattanooga;

461--Relative to congratulating Roane State Community College women's basketball team;

462--Relative to commending Kenneth L. Roberts;

463--Relative to commending Public Service Commissioner Jane Eskind; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

133--To make provisions, public health council;

148--To continue state soil conservation committee;

905--To make certain provisions, department of revenue;

1532--To regulate use, special registration plates, truck dealers;

1621--To regulate emergency vehicle equipment;

1633--To amend Section 55-10-406, Code;

1830--To make certain provisions, oil and gas board;

1940--To create laboratory advisory committee;

2039--To repeal Section 67-5-215 (b), Code;

2184--To make certain provisions, agency rules; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1329--To regulate group insurance plan, certain retired college employees;

1457--To create offense, aggravated child abuse;

1622--To regulate offense, obscene telephone calls;

1682--To enact Regional Environmental Authority Act;

1971--To increase registration tax, certain freight trailers;

2034--To terminate Medical Advisory Committee for Radiological Health;

2140--To define certain racketeering activities;

2219--To levy privilege tax, lodgings, Monteagle; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

211--Relative to establishing policies, employment, certain faculty members;

221--Relative to memory, Dr. H. C. Evans, Jr.; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1298--To regulate Licensing Board of Healing Arts.

The Senate nonconcurred in House Amendments Nos. 1 and 2.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1321--To regulate Board of Examiners for Nursing Home Administrators.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1401--To provide for traffic citation in lieu of arrest, certain

cases; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

302--To amend Criminal Injuries Compensation Act.

The Senate adopted the Conference Committee report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORTS OF STANDING COMMITTEES**

**EDUCATION**

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 485; and Senate Joint Resolution No. 138 (with amendment).

WORK, Chairman.

Under the rules, House Joint Resolution No. 485; and Senate Joint Resolution No. 138 were transmitted to the Committee on Calendar and Rules.

**LABOR AND CONSUMER AFFAIRS**

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 469.

ELLIS, Chairman.

Under the rules, House Joint Resolution No. 469 was transmitted to the Committee on Calendar and Rules.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

**CALENDAR**

House Bill No. 178--To continue the department of public health.

Mr. King (Shelby) moved that House Bill No. 178 be passed on third and final consideration.

Mr. King (Shelby) moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 178 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-207, is amended by inserting the following language as a new, appropriately numbered item:

( ) department of health and environment, created by Section 4-3-101.

On motion, the amendment was adopted.

Mr. King (Shelby) moved that House Bill No. 178 be moved to the heel of the Calendar, which motion prevailed.

House Bill No. 1841--To eliminate outmoded budgetary procedures.

On motion, House Bill No. 1841 was made to conform with Senate Bill No. 1951.

On motion, Senate Bill No. 1951, on same subject, was substituted for House Bill No. 1841.

Mr. McNally moved that Senate Bill No. 1951 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1951 by deleting in its entirety Section 1 of the bill and renumbering the subsequent sections.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1951, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 92 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore

(Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representative voting no was: Hudson--1.

A motion to reconsider was tabled.

House Bill No. 1727--To amend Section 39-6-1102, Code.

On motion, House Bill No. 1727 was made to conform with Senate Bill No. 1622.

On motion, Senate Bill No. 1622, on same subject, was substituted for House Bill No. 1727.

Mr. Williams moved that Senate Bill No. 1622 be passed on third and final consideration, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 86 |
| Noes . . . . .                   | 0  |
| Present and not voting . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Wolfe, Wood, Work and Yelton--86.

Representative present and not voting was: Moody--1.

A motion to reconsider was tabled.

House Bill No. 1855--To increase registration tax, freight trailers.

On motion, House Bill No. 1855 was made to conform with Senate Bill No. 1971.

On motion, Senate Bill No. 1971, on same subject, was substituted for House Bill No. 1855.

Mr. Williams moved that Senate Bill No. 1971 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 88 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representative voting no was: Gafford--1.

A motion to reconsider was tabled.

House Bill No. 2149--To prohibit sale of certain items, correctional institutions.

Mr. Williams moved that House Bill No. 2149 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

# **AMENDMENT NO. 1**

Amend House Bill No. 2149 by deleting from the amendatory language of Section 1 the words "possessed by an inmate of such institution", and by substituting instead the following language:

"brought to an inmate from outside such institution".

On motion, the amendment was adopted.

Thereupon, House Bill No. 2149, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 93 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon,



Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

House Bill No. 2118--To make provision, employees, correctional facilities.

Mr. Davis (Gibson) moved that House Bill No. 2118 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 86 |
| Noes . . . . . | 3  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--86.

Representatives voting no were: Ellis, Hurley and Moody--3.

A motion to reconsider was tabled.

House Bill No. 2119--To establish American English, official language.

Mr. Davis (Gibson) moved that House Bill No. 2119 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 84 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark

(Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--84.

Representative voting no was: Moody--1.

A motion to reconsider was tabled.

Mr. Ussery moved that House Bill No. 1749 be placed on the Calendar for Tuesday, May 15, 1984, which motion prevailed.

House Bill No. 2212--To provide for refunds to contractors.

On motion, House Bill No. 2212 was made to conform with Senate Bill No. 2179.

On motion, Senate Bill No. 2179, on same subject, was substituted for House Bill No. 2212.

Mr. Robertson moved that Senate Bill No. 2179 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

House Bill No. 2181--To amend Title 9, Chapter 13, Code.

Mr. Moody moved that House Bill No. 2181 be passed on third and final consideration.

Mr. Robertson moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 2181 by deleting Sections 1 through 5 of this act and by substituting instead the following:

Section 1. The general assembly finds and declares that it is in the best interests of the citizens of this state that county government be fiscally responsible and utilize sound financial management principles in serving its citizens. The general assembly further notes that there are certain conditions and circumstances in which a county must have emergency technical and financial assistance if it is to better serve its citizenry. It is the intent of this act to provide procedures whereby a county may acquire such emergency technical and financial assistance provided and guaranteed by the state, thus enabling such county to stabilize its financial condition and to meet its current operational and debt service costs.

Section 2. Tennessee Code Annotated, Title 9, Chapter 13, is amended by adding a new part to be designated as "Part 2" and shall consist of Section 3 through 12 of this act.

Section 3. This act shall be known and may be cited as "The Emergency Financial Aid to Local Government Law of 1984."

Section 4. As used in this act, the following terms shall have the definitions indicated unless the context would clearly provide otherwise:

(1) "Director" means the director of the division of local finance in the office of the comptroller of the treasury, or a person designated by such director.

(2) "Emergency technical assistance" means direction, oversight, management, and approval of all financial dealings and transactions of a county by the director of local finance.

(3) "Loan guarantee" means the guarantee by the state, acting through the state funding board under the provisions of this act, of a loan to a county from a lender other than the state.

Section 5. (a) In order to provide emergency technical and financial assistance to a county, the state funding board is authorized to guarantee the payment of a loan made to a county by another lender only under the following conditions:

(1) The owners of property, whose assessed value constitutes more than thirty-three and one-third percent (33 1/3%) of the total assessed value of the taxable property of

the county on the books of the assessor of property in such county at the time of the appeals, are pursuing appeals of assessments from the state board of equalization; and

(2) A majority of all members constituting the county legislative body has requested a loan guarantee from the state funding board; and

(3) The county legislative body agrees in its resolution requesting a loan guarantee to accept the emergency technical assistance provided by the director and to be bound by the decisions of the director; and

(4) The state board of equalization has certified to the state funding board the facts concerning the assessments under appeal and the status of such appeals; and

(5) The state funding board has determined that the county revenues are insufficient to pay the annual debt service and costs of operation of such county.

(b) The amount of any loan guarantee to a county shall not exceed fifty percent (50%) of the amount of property tax revenue which would otherwise have been derived from the property assessed and now in dispute or the amount appropriated to the state funding board for such guarantee by the general assembly, whichever is less.

(c) No loan guarantees shall be made by the state funding board after September 1, 1985. Provided, however, any loan guarantee granted prior to such date shall continue subject to the provisions of such guarantee or until the date the loan is repaid.

Section 6. (a) The state funding board shall establish the terms and conditions of loan guarantees to counties and may require such guarantees or security as it deems necessary to adequately secure the loans. The county shall pledge the full faith and credit of the county as security for any loan or loan guarantee. Such pledge shall include the amount of any money received by the county as a result of the appeals of tax assessments.

(b) The county shall apply any money received from final determination or settlement of such appeals to a loan within thirty (30) days of such receipt. In cases where the amount of money received by the county from such appeal is insufficient to repay the loan, the county shall, within one hundred twenty (120) days of the final determination or settlement of the appeal, repay such loan from county funds, or from bonds or notes issued by law or from other means approved by the state funding board.

Section 7. Notwithstanding the provisions of any other law to the contrary, the county legislature body of any county is hereby authorized to issued notes which may mature beyond the close of the fiscal year in which such notes are issued, when such notes are approved by the director and guaranteed by the state funding board.

Section 8. (a) Whenever a loan is guaranteed by the state funding board, the director shall provide emergency technical assistance to such county until such time as the county has completely repaid any loans guaranteed by or owed to the state.

(b) The director shall provide emergency technical assistance under the guidelines of and shall perform the duties prescribed by the County Budgeting Law of 1957 (TCA, Section 5-12-101 et seq.), the County Fiscal Procedure Law (TCA, Section 5-13-101 et seq.) and the County Purchasing Laws of 1957 and 1983 (TCA, Sections 5-14-101 et seq. and 5-14-201 et seq.), notwithstanding any provision of the law to the contrary applicable to such county; provided, however, that any provision in the County Purchasing Law to the contrary, there shall be no emergency purchases for such county without the prior approval of the director.

(c) All authority for the implementation and adminstration of the laws set out in subsection (b) of this section shall be vested in the director.

(d) Notwithstanding any other provision of the law to the contrary, the director has total and complete authority over the budget, purchases and expenditures of such county, including the budget, purchases and expenditures of the county school system.

The commissioner of education of the state of Tennessee shall appoint a qualified and responsible person to advise and assist the director on budgeting, accounting, purchasing, and expenditures of the school system of the county.

(e) The director shall require such periodic information from a county operating under the provisions of this act and make such audits as he may deem necessary. The annual budget of each county shall be submitted to the director at least three (3) weeks prior to its adoption. The director shall determine whether or not the budget will be in balance and is fiscally responsible. No budget shall be adopted by the legislative body until it shall have been approved by the director. Such governing body shall adopt a budget at the first meeting of the legislative body in July of each year or as soon thereafter as practical, but in no event shall the budget be adopted later than the third Monday in September.

Section 9. The state funding board shall publish a notice in a newspaper of general circulation in any county which is receiving emergency technical assistance pursuant to this act, that no purchase of or payment for goods, services or equipment or other matters shall be made by such county without the prior approval of the director. Such notice shall be published at least once weekly for two (2) consecutive weeks. Such notice shall also be posted for two (2) consecutive weeks in five (5) conspicuous places in the county, one (1) of which shall be the courthouse.

Section 10. When a county is granted a loan guarantee, any costs as determined and approved by the state funding board which are associated with providing the loan guarantee or technical assistance including, but not limited to, the services of the director and other personnel shall be borne by such county. The comptroller shall provide any staff necessary to administer this act; however, whenever possible and feasible, the director tasks.

Section 11. The state funding board shall report to the senate and house finance, ways and means committees whenever a loan guarantee is requested and shall keep the committees advised whenever any subsequent action is taken.

Section 12. Any official or employee of the county, or of any institution or agency thereof, who shall fail or refuse to perform the duties required of him by this act, or who shall fail or refuse otherwise to conform to the provisions of this act shall be guilty of a misdemeanor and shall be subject to fine and to removal from his office or position in accordance with the provisions of TCA Title 8, Chapter 47.

Section 13. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 14. This act shall take effect on becoming law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2181, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 89 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson),

Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

House Bill No. 2076--To amend Section 36-820, Code.

Mr. Cobb moved that House Bill No. 2076 be passed on third and final consideration.

Mr. Cobb moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 2076 by deleting Section 3 and substituting the following:

**SECTION 3.** Tennessee Code Annotated, Section 36-820, is further amended by deleting from subsection (d) the first sentence in its entirety and by substituting the following:

It is the intent of the general assembly that a spouse who is economically disadvantage relative to the other spouse be rehabilitated whenever possible by the granting of an order for payment of rehabilitative, temporary support and maintenance. Where there is such relative economic disadvantage and rehabilitation is not feasible in consideration of all relevant factors, including those set out in this subsection, then the court may grant an order for payment of support and maintenance on a long-term basis or until the death or remarriage of the recipient except as otherwise provided in subdivision (3) of subsection (a) of this section.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2076, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson),

Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--91.

A motion to reconsider was tabled.

House Bill No. 2187--To regulate sale, certain real estate.

On motion, House Bill No. 2187 was made to conform with Senate Bill No. 2160.

On motion, Senate Bill No. 2160, on same subject was substituted for House Bill No. 2187.

Mr. Jared moved that Senate Bill No. 2160 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 2160 by deleting the effective clause 1 and inserting in lieu thereof the following:

"This Act shall take effect on July 1, 1984 the public welfare requiring it."

Mr. Clark (Davidson) moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 69 |
| Noes . . . . .                   | 5  |
| Present and not voting . . . . . | 5  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), Kisber, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Work--69.



Representatives voting no were: Dixon, Drew, McKinney, Turner (Hamilton) and Wix--5.

Representatives present and not voting were: Brewer, Frensley, Owen, Robinson (Hamilton) and Yelton--5.

Thereupon, Senate Bill No. 2160, passed its third and final consideration by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 82 |
| Noes . . . . .                   | 3  |
| Present and not voting . . . . . | 2  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--82.

Representatives voting no were: Dixon, Gaia and McKinney--3.

Representatives present and not voting were: Bragg and Kernell --2.

A motion to reconsider was tabled.

House Bill No. 1673--To regulate fraternities and sororities for minors.

On motion, House Bill No. 1673 was made to conform with Senate Bill No. 1833.

On motion, Senate Bill No. 1833, on same subject, was substituted for House Bill No. 1673.

Mr. Rhinehart moved that Senate Bill no. 1833 be passed on third and final consideration.

Mr. Chiles questioned whether Senate Bill No. 1833 was properly before the House. Mr. Speaker pro tem Brewer ruled that Senate Bill No. 1833 was properly before the House.

Mr. Speaker McWherter resumed the Chair.

Thereupon, Senate Bill No. 1833, passed its third and final consideration by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 66 |
| Noes . . . . .                   | 17 |
| Present and not voting . . . . . | 3  |

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Davidson, Davis (Gibson), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Gafford, Gaia, Gill, Henry, Hillis, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sir, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Work, Yelton and Mr. Speaker McWherter--66.

Representatives voting no were: Atchley, Chiles, Cobb, Frensley, Hudson, Kelley, Kisber, Moody, Nance, Owen, Robertson, Scruggs, Smith, Starnes, Wallace, Wolfe and Wood--17.

Representatives present and not voting were: Crain, Ford and Huskey--3.

A motion to reconsider was tabled.

**EXPLANATION OF VOTE**

My vote on Senate Bill No. 1833 is solely based on the merits of this bill. I disagree with this bill because it denies the freedom of assembly for high school students.

Bill Owen.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1814--To provide funds, construction of wastewater treatment works.

On motion, House Bill No. 1814 was made to conform with Senate Bill No. 1928.

On motion, Senate Bill No. 1928, on same subject, was substituted for House Bill No. 1814.

Mr. Bragg moved that Senate Bill No. 1928 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1928 by deleting Section 12 in its entirety and by substituting therefor the following:

**Section 12 - Municipal Audits**

(a) The comptroller of the treasury, through the department of audit, shall be responsible for ensuring that audits of those municipalities receiving grants under this act are conducted to determine whether the municipalities are continuing to comply with all applicable requirements of this act.

(b) Said audits are to be prepared in accordance with Tennessee Code Annotated, Section 6-56-105.

(c) The auditor shall report directly to the comptroller of the treasury and the department of health and environment, in a compliance management letter, his findings on the compliance or noncompliance of the municipality with the terms of the grant(s) and all applicable requirements of this act.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1928, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 92 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Love moved that House Bills Nos. 1965 and 1967 be placed on the Calendar for Tuesday, May 15, 1984, which motion prevailed.

Mr. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 505 out of order, which motion prevailed.

House Joint Resolution No. 505--Relative to appreciation, efforts to save life, Representative Herndon--By Love.

Mr. Love moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 505, which motion prevailed.

Mr. Love moved that House Joint Resolution No. 505 be adopted, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 93 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

A motion to reconsider was tabled.

Mr. Cobb moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 512 out of order, which motion prevailed.

House Joint Resolution No. 512--Relative to study, availability of health care centers--By Cobb and McNally.

Mr. Cobb moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 512, which motion prevailed.

Mr. Cobb moved that House Joint Resolution No. 512 be adopted, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore

(Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 513 out of order, which motion prevailed.

House Joint Resolution No. 513--Relative to memory, Representative W. C. Herndon, Jr.--By Naifeh, Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

Mr. Naifeh moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 513, which motion prevailed.

Mr. Naifeh moved that House Joint Resolution No. 513 be adopted, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 95 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs,

Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 2025--To amend Health Planning and Resources Development Act.

Mr. Starnes moved that House Bill No. 2025 be passed on third and final consideration.

Mr. King (Shelby) moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 2025 by deleting from the final sentence of the amendatory language of Section 5 the words "Consumers members appointed, after the effective date of this act shall" and by substituting instead the following:

"Consumer members, appointed to serve their first terms on the commission after the effective date of this act, shall"

On motion, the amendment was adopted.

Mr. Starnes moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 2025 by deleting the second sentence of the amendatory language of Section 5 and substituting instead the following:

Three (3) of the consumer members appointed after the effective date of this Act shall be consumers who are knowledgeable of health needs and services and who are further knowledgeable by training or experience in health care facility design or construction, financing of health care services or construction, reimbursement of health care services, or general health care economics.

AND FURTHER AMEND by deleting the amendatory language of Section 9 and substituting instead the following:

(3) All applications shall be commenced by the filing of a letter of intent giving a brief description of the subject matter of the application and the process whereby interested parties may request a public hearing. The letter of intent shall be filed at least thirty (30) days prior to the commencement of the review cycle in which the application is to be considered. At the time of filing, the applicant shall cause the letter of intent to be

published in a newspaper of general circulation in the county wherein the proposed project is to be located.

Persons desiring to compete for a certificate of need for which a letter of intent has been filed shall file with the commission a letter of intent within twenty (20) days after publication by the original applicant. A copy of same shall also be mailed or delivered to the original applicant and published in a newspaper of general circulation in the same county as the original application. The commission may refuse to consider an applicant as a competing applicant if it finds that the applicant would not be a competitor of the original applicant under the rules of the commission.

**AND FURTHER AMEND** by deleting the first sentence of the amendatory language of Section 10 and substituting instead the following:

Applications for a certificate of need, including competing applications, may not be considered unless filed with the commission within such time as to assure such application is deemed complete in accordance with rules of the commission and to enter the review cycle nearest to the end of the thirty (30) day period.

**AND FURTHER AMEND** by adding the following sentence at the end of the amendatory language of Section 11:

Upon the request of the department, any HSA shall perform any or all functions prescribed in this section in the manner required by the department.

**AND FURTHER AMEND** by adding the following sentence at the end of the amendatory language of Section 8:

In reviewing applications for certificates of need for new nursing home beds, the commission shall consider the extent to which the need for such beds has been met by expansion of existing facilities pursuant to this section.

On motion, the amendment was adopted.

Mr. Starnes moved to amend as follows:

### **AMENDMENT NO. 3**

Amend House Bill No. 2025 by adding the following new subdivision (5) to the amendatory subsection (i) in Section 11:

(5) Any HSA or local health planning agency shall perform any or all of the functions prescribed in this section including certificate of need in a manner prescribed by contract with the department.

On motion, the amendment was adopted.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 2025 by adding the following sentence at the end of the amendatory language of Section 5:

Qualifications required by this Act for consumer members of the Commission shall not operate to prohibit the reappointment of any consumer member serving on the Commission on the effective date of this Act.

On motion, the amendment was adopted.

Mr. McKinney moved the previous question, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 56 |
| Noes . . . . .                   | 18 |
| Present and not voting . . . . . | 3  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Davidson, Davis (Gibson), DeBerry, Dills, Disspayne, Duer, Gafford, Gill, Hillis, Hurley, Jared, Johnson, Jones, Kelley, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Percy, Pickering, Rhinehart, Robinson (Hamilton), Robinson (Washington), Shirley, Sir, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Wolfe, Work and Yelton--56.

Representatives voting no were: Buck, Chiles, Cobb, Crain, Drew, Elsea, Frensley, Henry, McAfee, Montgomery, Moody, Nance, Robertson, Robinson (Davidson), Scruggs, Severance, Smith and Wood--18.

Representatives present and not voting were: Brewer, Kernell and Owen--3.

Thereupon, House Bill No. 2025, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 88 |
| Noes . . . . . | 2  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell,



King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--88.

Representatives voting no were: Chiles and Montgomery--2.

A motion to reconsider was tabled.

House Bill No. 1959--To make certain provisions, Supreme Court.

On motion, House Bill No. 1959 was made to conform with Senate Bill No. 1397.

On motion, Senate Bill No. 1397, on same subject, was substituted for House Bill No. 1959.

Mr. Starnes moved that Senate Bill No. 1397 be passed on third and final consideration.

Mr. Bragg moved the previous question, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 67 |
| Noes . . . . . | 13 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Frensley, Gafford, Gill, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Napier, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Sir, Stallings, Starnes, Turner (Hamilton), Ussery, Webb, Wheeler, Whitson, Williams, Wood, Work and Yelton--67.

Representatives voting no were: Henry, Kelley, Kernell, Naifeh, Nance, Owen, Robertson, Shirley, Smith, Tanner, Turner (Shelby), Wallace and Wolfe--13.

Thereupon, Senate Bill No. 1397 passed its third and final consideration by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 56 |
| Noes . . . . .                   | 33 |
| Present and not voting . . . . . | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Frensley, Gill, Harrill, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Montgomery, Moore (Shelby), Murphy, Murray, Napier, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Starnes, Turner (Hamilton), Webb, Wheeler, Whitson, Wix, Wood, Work and Yelton--56.

Representatives voting no were: Anderson, Atchley, Clark (Sumner), Crain, Davis (Gibson), Dills, Drew, Ford, Gafford, Henry, Hillis, Hurley, Kelley, Kisber, Miller, Moody, Moore (Sullivan), Naifeh, Nance, Owen, Robertson, Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Shelby), Ussery, Wallace, Williams and Wolfe--33.

Representative present and not voting was: Hudson--1.

A motion to reconsider was tabled.

House Bill No. 1515--To enact Legend Drug and Controlled Substance Research Act.

On motion, House Bill No. 1515 was made to conform with Senate Bill No. 1501.

On motion, Senate Bill No. 1501, on same subject, was substituted for House Bill No. 1515.

Mr. McNally moved that Senate Bill No. 1501 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 86 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--86.

A motion to reconsider was tabled.

House Bill No. 2199--To make certain provisions, rock drills.

On motion, House Bill No. 2199 was made to conform with Senate Bill No. 2167.

On motion, Senate Bill No. 2167, on same subject, was substituted for House Bill No. 2199.

Mr. Davidson moved that Senate Bill No. 2167 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

House Bill No. 2121--To review compensation, major state office.

On motion, House Bill No. 2121 was made to conform with Senate Bill No. 2104.

On motion, Senate Bill No. 2104, on same subject, was substituted for House Bill No. 2121.

Mr. Bragg moved that Senate Bill No. 2104 be passed on third and final consideration.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 75 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew,

Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stallings, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter--75.

Representative voting no was: Henry--1.

Thereupon, Senate Bill No. 2104, passed its third and final consideration by the following vote:

Ayes . . . . . 87  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--87.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Ms. DeBerry, Speaker pro tem.

House Bill No. 2037--To amend Section 67-6-702, Code.

On motion, House Bill No. 2037 was made to conform with Senate Bill No. 1616.

On motion, Senate Bill No. 1616, on same subject, was substituted for House Bill No. 2037.

Mr. Bragg moved that Senate Bill No. 1616 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 88  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner),

Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton  
--88.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 2110--To enact Emergency Communications District Law.

On motion, House Bill No. 2110 was made to conform with Senate Bill No. 2093.

On motion, Senate Bill No. 2093, on same subject, was substituted for House Bill No. 2110.

Mr. Starnes moved that Senate Bill No. 2093 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 2093 by deleting the words "governing body" in the second sentence of Section 5(a) and substituting in lieu thereof the words "legislative body".

AND FURTHER AMEND by deleting Section 9 in its entirety and by substituting instead the following new section:

**SECTION 9.** In order to provide additional funding for the district and the service, the governing body of the district may receive funds from federal, state and local government sources, as well as funds from private sources, including funds from the issuance of bonds, and may expend such funds for the purpose of this act. Any legislative body of a municipality or county creating a district under the terms of this act may appropriate funds to the district to assist in the establishment, operations and maintenance of such district.

AND FURTHER AMEND by adding the following words and punctuation to the beginning of the first sentence of Section 14:

Subject to the approval of the legislative body of a county or municipality wherein a district is established.

**AND FURTHER AMEND** by inserting after the first sentence in subsection (a) of Section 13 the following new sentence:

A copy of the annual audit shall be filed with the chief executive of the appropriate municipality or county.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2093, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--91.

Representative voting no was: Shirley--1.

A motion to reconsider was tabled.

House Bill No. 1570--To provide immunity from liability, emergency service personnel.

On motion, House Bill No. 1570 was made to conform with Senate Bill No. 1720.

On motion, Senate Bill No. 1720, on same subject, was substituted for House Bill No. 1570.

Ms. Turner (Hamilton) moved that Senate Bill No. 1720 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 90 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson),

Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

House Bill No. 2117--To enact the General Corporation Act.

On motion, House Bill No. 2117 was made to conform with Senate Bill No. 1709.

On motion, Senate Bill No. 1709, on same subject, was substituted for House Bill No. 2117.

Ms. Turner (Hamilton) moved that Senate Bill No. 1709 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 1709 by inserting the following language at the end of the amendatory language of Section 1:

, including industrial development boards created pursuant to the provisions of Tennessee Code Annotated, Title 7

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1709, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 90 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy,

Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

House Bill No. 2116--To restrict distribution, video cassette tapes, minors.

On motion, House Bill No. 2116 was made to conform with Senate Bill No. 1883.

On motion, Senate Bill No. 1883, on same subject, was substituted for House Bill No. 2116.

Ms. Turner (Hamilton) moved that Senate Bill No. 1883 be passed on third and final consideration.

Mr. Covington moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1883 by adding between the first and second sentences of the amendatory language of Section 1 the following sentence:

The retailer shall put the rating system on the video cassette before it is distributed.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1883, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 88 |
| Noes . . . . . | 2  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.



Representatives voting no were: Moody and Owen--2.

A motion to reconsider was tabled.

Mr. Smith moved that House Bill No. 2005 be placed on the Calendar for Thursday, May 10, 1984, which motion prevailed.

House Bill No. 1642--To make certain provisions, property tax exception.

On motion, House Bill No. 1642 was made to conform with Senate Bill No. 1726.

On motion, Senate Bill No. 1726, on same subject, was substituted for House Bill No. 1642.

Mr. Wheeler moved that Senate Bill No. 1726 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 92 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

House Bill No. 1958--To increase housing authority commissioners, certain cities.

On motion, House Bill No. 1958 was made to conform with Senate Bill No. 1388.

On motion, Senate Bill No. 1388, on same subject, was substituted for House Bill No. 1958.

Mr. Starnes moved that Senate Bill No. 1388 be passed on third and final consideration.

Mr. Dixon moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1388 by adding the following at the end of the amendatory language of Section 1 (b):

In any county having a population of greater than 700,000 according to the 1980 federal census or any subsequent federal census, if the commission is composed of seven (7) members, two commissioners shall be residents of units administered by the housing authority.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1388, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 87 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--87.

Representative voting no was: King (Washington)--1.

A motion to reconsider was tabled.

House Bill No. 2147--To require detention of juveniles, certain circumstances.

Mr. Johnson moved that House Bill No. 2147 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2147 by deleting the amendatory language following "in any facility" in Section 1., and by substituting instead the following:

which meets the following requisites of separateness, juveniles who meet the detention criteria of TCA Section 37-

214(c) may be held in a juvenile detention facility which is in the same building or on the same grounds as an adult jail or lockup:

A. Total separation between juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities.

B. Total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping, and general living activities.

C. Separate juvenile and adult staff, including management, security staff, and direct care staff such as recreational, educational, and counseling. Specialized services staff, such as cooks, bookkeepers, and medical professionals who are not normally in contact with detainees or whose infrequent contacts occur under conditions of separation of juveniles and adults, can serve both.

D. In the event that state standards or licensing requirements for secure juvenile detention facilities are established, the juvenile facility must meet the standards and be licensed or approved as appropriate.

E. Juvenile staff are employees of or volunteers for a juvenile service agency or the juvenile court with responsibility only for the conduct of the youth-serving operations. Juvenile staff are specially trained in the handling of juveniles and the special problems associated with this group.

F. A separate juvenile operations manual, with written procedures for staff and agency reference, specifies the function and operation of the juvenile program.

G. There is minimal sharing between the facilities of public lobbies or office/support space for staff.

H. Juveniles do not share direct service or access space with adult offenders within the facilities including entrance to and exits from the facilities. All juvenile facility intake, booking and admission processes take place in a separate area and are under the direction of juvenile facility staff. Secure juvenile entrances (sally ports, waiting areas) are independently controlled by juvenile staff and separated from adult entrances. Public entrances, lobbies and waiting areas for the juvenile detention program are also controlled by juvenile staff and separated from similar adult areas. Adult and juvenile residents do not make use of common passageways between intake areas, residential spaces, and program/service spaces.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2147, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

House Bill No. 1732--To make certain provisions, bonds, Housing Development Agency.

Mr. Bragg moved that House Bill No. 1732 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. King (Shelby) moved that House Bill No. 178 be placed on the Calendar for Tuesday, May 15, 1984, which motion prevailed.

The Speaker announced that without objection, House Bill No. 1892 would be considered following the Consent and Message Calendars.

**CONSENT CALENDAR**

**OBJECTION**

An objection was filed to the following bill on the Consent Calendar:

Messrs. Kelley and Wallace objected to House Bill No. 119.

Under the rules, House Bill No. 119 was placed at the foot of the Calendar for Wednesday, May 9, 1984.

House Bill No. 2171--To increase limit of charge, certain debt adjusting.

House Bill No. 2196--To review legislation that creates new governmental entitites.

On motion, House Bill No. 2196 was made to conform with Senate Bill No. 1586.

On motion, Senate Bill No. 1586, on same subject, was substituted for House Bill No. 2196.

House Bill No. 1649--To make certain provisions, credit unions.

On motion, House Bill No. 1649 was made to conform with Senate Bill No. 1432.

On motion, Senate Bill No. 1432, on same subject, was substituted for House Bill No. 1649.

House Bill No. 1647--To provide for merger of credit unions.

On motion, House Bill No. 1647 was made to conform with Senate Bill No. 1431.

On motion, Senate Bill No. 1431, on same subject, was substituted for House Bill No. 1647.

House Bill No. 2167--To amend Good Samaritan Law.

House Joint Resolution No. 295--Relative to honoring Mandy Chere Arnold.

House Bill No. 2254--To regulate deer, hunting, certain counties.

House Bill No. 2243--To regulate voter registration, certain cities.

On motion, House Bill No. 2243 was made to conform with Senate Bill No. 2222.

On motion, Senate Bill No. 2222, on same subject, was substituted for House Bill No. 2243.

House Bill No. 1559--To make certain provisions, jurors.

On motion, House Bill No. 1559 was made to conform with Senate Bill No. 1490.

On motion, Senate Bill No. 1490, on same subject, was substituted for House Bill No. 1559.

House Bill No. 120--To continue emergency medical services advisory council.

House Joint Resolution No. 490--Relative to commending Tammy A. Robinson.

House Bill No. 2278--To make certain provisions, Probate Court, Cumberland County.

House Bill No. 2279--To make certain provisions, Juvenile Court, Tipton County.

House Bill No. 2280--To amend Charter, Crossville.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, and all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 92 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

**BILLS RE-REFERRED**

On motion of Mr. Gill, House Bill No. 1585 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Gill, House Bill No. 1585 was re-referred to the Committee on Finance, Ways and Means.

Mr. Shirley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 506 out of order, which motion prevailed.

House Joint Resolution No. 506--Relative to congratulating John A. and Delores Grisanti--By Shirley.

Mr. Shirley moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 506, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

On motion of Mr. Murphy, House Bill No. 1471 was recalled from the Senate for further consideration.

**RESOLUTIONS LYING OVER**

Senate Joint Resolution No. 211--Relative to establishing policies, employment, certain faculty members.

The Speaker referred Senate Joint Resolution No. 211 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 221--Relative to memory Dr. H. C. Evans, Jr.

Under the rules Senate Joint Resolution No. 221 to the Committee on Calendar and Rules.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return Senate Bill No. 201, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Bragg moved that the rules be suspended for the immediate consideration of Senate Bill No. 201, which motion prevailed.

**FURTHER CONSIDERATION OF SENATE BILL NO. 201**

Senate Bill No. 201--To make certain provisions, revenue laws.

Mr. Bragg moved that the motion to reconsider Senate Bill No. 201 be lifted from the table, which motion prevailed.

Mr. Bragg moved that the House reconsider its action in passing Senate Bill No. 201 on third and final consideration, which motion prevailed.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 201 in Section 35 (Section 37 as amended) by deleting the date "July 1, 1983" and substituting instead the date "July 1, 1984".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 201, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 89 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1548--To create state forestry commission.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1548 by inserting the following language as a new section immediately preceding the severability section and by appropriately renumbering subsequent sections:



SECTION \_\_\_\_\_. For purposes of the governmental entity review law, Tennessee Code Annotated, Title 4, Chapter 29, the state forestry commission, created by Section 1 of this act shall terminate on June 30, 1990.

Mr. DePriest moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote.:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1620--To provide for filling Vacancy, county executive.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1620 by adding at the end of the amendatory language in Section 1 as follows:

"The provisions of this paragraph shall not apply in any county having a population of 700,000 or more according to the 1980 Federal Census or any subsequent Federal Census."

SENATE AMENDMENT NO. 2

Amend House Bill No. 1620 by deleting Section 1 and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 5-9-307, is amended by designating the existing language as subsection (a) and adding the following subsections:

(b) Upon the absence, death, or incapacity of the county executive, the chairman of the county legislative

body appointed pursuant to Tennessee Code Annotated, Section 5-5-103(g), shall serve in the office of county executive and may draw warrants upon the treasury of the county in the performance of the duties of office.

(c) The provisions of subsection (b) shall not apply in any county which has a population according to the 1980 federal census or any subsequent federal census of:

| not less than | nor more than |
|---------------|---------------|
| 12,725        | 12,825        |
| 22,277        | 22,350        |
| 23,850        | 23,900        |
| 20,300        | 20,400        |
| 25,300        | 25,350        |
| 22,500        | 22,600        |
| 21,325        | 21,425        |

SENATE AMENDMENT NO. 3

Amend House Bill No. 1620 by adding an additional sentence at the end of the amendatory language in Section 1, as follows:

Before commencing service as county executive under the provisions of this act, the chairman of the county legislative body shall be bonded in accordance with the provisions of Tennessee Code Annotated, Section 5-6-109.

Mr. Crain moved that the House concur in Senate Amendments Nos. 1, 2 and 3, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 89 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 2192--To provide for Commission of Indian Affairs.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 2192 by deleting the amendatory language of Section 1(a) and by substituting instead the following:

(a) The Tennessee Commission of Indian Affairs shall consist of five (5) members appointed by the governor, at least three (3) of whom shall be persons of not less than fifty percent (50%) Native American lineage.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 2192 by deleting from section 1(a), as amended by Government Operations Committee Amendment #1, the language "fifty per cent (50%)" and by substituting instead the language "twenty-five (25%)."

Mr. Yelton moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 90 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to request the return of House Bill No. 1913, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. Naifeh, House Bill No. 1913 was returned to the Senate as requested.

On motion of Mr. King (Shelby), Senate Bill No. 1273 was recalled from the Senate for further consideration.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bill No. 1615 with his veto, separate message attached.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

Dear Mr. Speaker:

I have vetoed House Bill No. 1615 / Senate Bill No. 1778.

This bill sets a minimum price for gasoline in Tennessee.

It says price competition in the sale of gasoline is bad for Tennesseans. For Tennessee to turn its back in this way on the American competitive free enterprise system would cause us to stick out like a sore thumb as a national leader in the wrong direction.

The bill virtually guarantees that the price of gasoline will not go down as much as the market would otherwise permit. Especially in areas where there now is heavy competition, it will tend to push the price up.

By reducing competition, the bill seeks to protect some competitors. It establishes the following new state policy: in the case of the sale of gasoline, price competition that lowers prices is bad for Tennesseans.

The idea of a competitive free market is that the market place - better than government regulation - causes prices to reflect real costs. In a competitive free market, by definition, some competitors fail. Those competitors who are failing here because of price competition and a rapidly changing market place are asking consumers to pay higher gasoline prices so all competitors can stay in business.

State and Federal antitrust laws exist to prevent monopolistic or predatory practices that reduce competition.

Our American competitive free enterprise system is set up to benefit consumers, not to protect some competitors.

Sincerely,

Lamar Alexander

**NOTICE TO OVERRIDE VETO**

**MR. SPEAKER:** I hereby file notice under House Rule No. 77 that I plan to move House Bill No. 1615 for passage, notwithstanding the objections of the Executive.

Representative Ralph Yelton.

Under the rules, the notice lies over.

**BILLS WITHDRAWN**

On motion of Mr. Wood, House Bill No. 1571 was recalled from the Committee on Transportation.

On motion of Mr. Wood, House Bill No. 1571 was withdrawn from the House.

On motion of Mr. Wood, House Bill No. 1701 was recalled from the Committee on Conservation and Environment.

On motion of Mr. Wood, House Bill No. 1701 was withdrawn from the House.

**FURTHER CONSIDERATION OF HOUSE BILL NO. 1892**

House Bill No. 1892--To regulate real estate brokers.

Mr. Wheeler moved that House Bill No. 1892 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 5**

Amend House Bill No. 1892 by adding the following new section immediately preceding the last section and by renumbering the subsequent sections accordingly:

Section \_\_\_\_\_. No later than thirty (30) days prior to the expiration of any real estate broker's license which is in retirement, the commission shall notify the holder of such license the date by which such license must be renewed.

On motion, the amendment was adopted.

Mr. Wheeler moved to amend as follows:

**AMENDMENT NO. 6**

Amend House Bill No. 1892 by deleting from the first sentence of Item (f)(1) of Section 6 the words "this section, such" and substituting instead the following words "this section and all or

any part of the judgement is unpaid after sixty (60) days of the judgement, such".

**AND FURTHER AMEND** by inserting after the first sentence of subsection (f)(1) of Section 6 the following new sentence:

Upon determination of the court that the judgement or any part thereof is unpaid, the court shall enter an order directing the commission to make payment from the fund to satisfy such judgement.

**AND FURTHER AMEND** by deleting from subsection (f)(1) of Section 6 the original second sentence in its entirety and by deleting paragraph (2) of subsection (f)(1) and subsection (g) of Section 6.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1892, as amended, passed its third and final consideration by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 73 |
| Noes . . . . .                   | 14 |
| Present and not voting . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Starnes, Turner (Hamilton), Turner (Shelby), Webb, Wheeler, Williams, Wix, Wolfe, Wood, Work and Yelton--73.

Representatives voting no were: Crain, Davis (Gibson), Dills, Gill, Harrill, Moody, Moore (Shelby), Robertson, Shirley, Stallings, Tanner, Ussery, Wallace and Whitson--14.

Representative present and not voting was: Bragg--1.

A motion to reconsider was tabled.

**SPONSOR ADDED**

Mr. Speaker McWherter moved that the rules be suspended to add Representative McKinney as sponsor of House Bill No. 846, which motion prevailed.

**SECOND ROLL CALL**

A roll call was taken with the following results:

Present . . . . . 92

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

### **INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 495--Relative to honoring Coach "Dee" Harris--By Hillis and Rhinehart.

Under the rules, House Joint Resolution No. 495 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 496--Relative to continuance of bingo--By Covington, Kent, Murphy, Moore (Shelby), Kernell, Gill, Brewer, Williams, Jones, Withers, DeBerry, Love, Naifeh, Wix, King (Shelby), Shirley, Work, Wheeler, Clark (Sumner), Disspayne, Owen, Rhinehart and McNally.

The Speaker referred House Joint Resolution No. 496 to the Committee on Calendar and Rules.

House Joint Resolution No. 497--Relative to drivers' licenses--By DeBerry, Jones, Withers and Cobb.

The Speaker referred House Joint Resolution No. 497 to the Committee on Calendar and Rules.

House Joint Resolution No. 498--Relative to commending Merrill Hill--By Robinson (Hamilton) and Starnes.

Under the rules, House Joint Resolution No. 498 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 499--Relative to honoring Mrs. Mary Sue Persons--By Bragg.

Under the rules, House Joint Resolution No. 499 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 500--Relative to death of Mrs. Sarah Hurt Rummage Baker--By Kelley.

Under the rules, House Joint Resolution No. 500 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 501--Relative to honoring Nancy Boone and the Campus School Choir--By Bragg.

Under the rules, House Joint Resolution No. 501 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 502--Relative to urging Congress to retain George Washington postage stamp--By King (Washington) and Robinson (Washington).

The Speaker referred House Joint Resolution No. 502 to the Committee on Calendar and Rules.

House Joint Resolution No. 503--Relative to study, General Assembly--By Ussery, Bragg, Duer, Drew, Johnson, Henry and Kernell.

The Speaker referred House Joint Resolution No. 503 to the Committee on Calendar and Rules.

House Joint Resolution No. 504--Relative to amending Article II, Section 3, State Constitution--By Ussery, Johnson, Drew, Duer, Bragg and Henry.

The Speaker referred House Joint Resolution No. 504 to the Committee on Calendar and Rules.

House Resolution No. 133--Relative to commending John Linton Hall--By Bragg.

Under the rules, House Resolution No. 133 was referred to the Committee on Calendar and Rules.

### **INTRODUCTION OF BILLS**

Hous Bill No. 2281--To regulate election of Alderman, Petersburg--By Sir.

Passed first consideration.

House Bill No. 2282--To levy tax on lodgings, Monteagle--By Murray and Rhinehart.

Passed first consideration.

House Bill No. 2283--To make certain provisions, Kenton Special School District--By Tanner.

Passed first consideration.

House Bill No. 2284--To prohibit non-residents from disposing of trash in Greene County--By Bewley and Whitson.



Passed first consideration.

House Bill No. 2285--To regulate registration of warrants, certain counties--By Whitson, King (Washington) and Percy.

Passed first consideration.

House Bill No. 2286--To make provisions, solid waste disposal, Crockett County--By Dills and Wallace.

Passed first consideration.

House Bill No. 2287--To regulate election, assessor of property --By Turner (Hamilton) and McKinney.

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 561--To amend state senatorial districts.

Passed first consideration.

Senate Bill No. 978--To regulate discriminatory housing accomodation practices.

Passed first consideration.

Senate Bill No. 1660--To regulate filing certain certificates.

Passed first consideration.

Senate Bill No. 1730--To make certain provisions, fire protection sprinkler systems.

Passed first consideration.

Senate Bill No. 1740--To make certain provisions, certain cemeteries.

Passed first consideration.

Senate Bill No. 2047--To regulate certain proceedings, telephone companies.

Passed first consideration.

Senate Bill No. 2048--To regulate unfair trade practices, milk and frozen desserts.

Passed first consideration.

Senate Bill No. 2073--To change composition, Private Employment Agency Board and Elevator Safety Board.

Passed first consideration.

Senate Bill No. 2133--To regulate voter registration.

Passed first consideration.

Senate Bill No. 2135--To amend Title 62, Chapter 19, Code.

Passed first consideration.

### **CORRECTION TO JOURNAL**

On April 25, 1984 (page 2597), House Bill No. 1874 was recommended for passage out of the Committee on Judiciary and referred to the Committee on Calendar and Rules.

House Bill No. 1874 should have been referred to the Committee on Finance, Ways and Means.

### **REPORT OF STANDING COMMITTEES**

#### **FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report to that we have carefully considered and recommend for passage: House Bills Nos. 591 (with amendment), 1594, 1847 (with amendment), 1874 (with amendment), 2063, 2122, 2205 and House Joint Resolution No. 261.

BRAGG, Chairman.

Under the rules, House Bills Nos. 591, 1594, 1847, 1874, 2063, 2122, 2205 and House Joint Resolution No. 261 were transmitted to the Committee on Calendar and Rules.

### **ENROLLED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 133, 148, 377, 905, 1532, 1621, 1633, 1830, 1894, 1940, 2039 and 2184; and House Joint Resolutions Nos. 263, 272, 461, 462 and 463; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

### **SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 133, 148, 377, 905, 1532, 1621, 1633, 1830, 1894, 1940, 2039 and 2184; and House Joint Resolutions Nos. 263, 272, 461, 462 and 463.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, May 9, 1984: House Bills Nos. 769, 1977, 2018, 2047, 1812, 2023, 2206, 2045, 2041, 1682, 1990, 2072, 1482, 1656, 145, 150, 2185, 570, 923 and 1730.

GILL, Chairman.

**REPORT OF DELAYED BILLS COMMITTEE**

The undersigned members of the Delayed Bills Committee have approved the following bill: House Bill No. 2287.

Ned R. McWherter

James R. McKinney

James M. Henry

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 655--Kernell

House Bill No. 1754--Love

House Bill No. 2005--Smith

House Bill No. 2077--Kent

House Bill No. 2114--Love

House Joint Resolution No. 508--Wheeler, Henry

**NOTICE PURSUANT TO RULE NO. 57**

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Wednesday, May 9, 1984:

House Bill No. 1401--Kent

House Bill No. 1641--Buck

House Bill No. 1813--McNally

House Bill No. 2057--Dixon

Senate Bill No. 302--Cobb

**LOCAL BILLS REFERRED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1739 and 2276.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, May 9, 1984: Senate Joint Resolution No. 221; House Joint Resolutions Nos. 495, 498, 499, 500, 501; House Resolution No. 133; and House Bills Nos. 2276 and 1739.

GILL, Chairman.

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 120, 1732, 1892, 2025, 2076, 2118, 2119, 2147, 2149, 2167, 2171, 2181, 2254, 2278, 2279 and 2280; and House Joint Resolutions Nos. 295, 490, 505, 506, 512 and 513; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m. tomorrow.